

FILE

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

NOV 13 2003

OFFICE OF  
MANAGING DIRECTOR

John N. Kyle II, President  
Tiger Eye Broadcasting Corporation  
3400 Lakeside Drive  
Suite 500  
Miramar, FL 33027

Re: Tiger Eye Broadcasting Corporation  
FY 2003 Regulatory Fees  
Fee Control No. 00000RROG-03-104

Dear President Kyle:

This letter responds to your request dated September 22, 2003, submitted on behalf of Tiger Eye Broadcasting Corporation (Tiger Eye) for a deferral for a period of 60 to 90 days of the fiscal year (FY) 2003 regulatory fees.

You state that as a result of the damage to several of Tiger Eye's low power television stations in Virginia caused by Hurricane Isabelle, Tiger Eye must allocate funds which were to be used for regulatory fees to the repair and reconstruction of these stations. You state that Tiger Eye expects to have the stations "up and running again" within 60 to 90 days and at that point it should be able to submit the regulatory fees in their entirety.


The Commission may waive, reduce, or defer regulatory fees only upon a showing of good cause and a finding that the public interest will be served thereby. *See* 47 U.S.C. §159(d); 47 C.F.R. §1.1166; *see also Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, Report and Order*, 9 FCC Rcd 5333, 5344 (1994), *on recon.*, *Memorandum Opinion and Order*, 10 FCC Rcd 12,759, para. 12 (1995) (regulatory fees may be waived, deferred, or reduced on a case-by-case basis in extraordinary and compelling circumstances upon a clear showing that a waiver would override the public interest in reimbursing the Commission for its regulatory costs). The Commission will waive, reduce or defer its regulatory fees in those instances where a petitioner presents a compelling case of financial hardship. *See Implementation of Section 9 of the Communications Act*, 9 FCC Rcd 5333, 5346 (1994), *on recon.*, 10 FCC Rcd 12759 (1995). Regulatees can establish financial hardship by submitting:

information such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information. 10 FCC Rcd at 12761-12762.

In the absence of such documentation, or other relevant showing, you have failed to establish a compelling case for relief. Therefore, your request for a deferral of the FY 2003 regulatory fees for Tiger Eye is denied. Payment of the FY 2003 regulatory fees is now due. The regulatory fees should be filed together with a Form FCC 159 (copy enclosed) within 30 days from the date of this letter. However, in view of your allegations of financial hardship, in lieu of payment, you may refile Tiger Eye's request together with appropriate supporting documentation and a request to defer further payment of the fee, within 30 days from the date of this letter.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

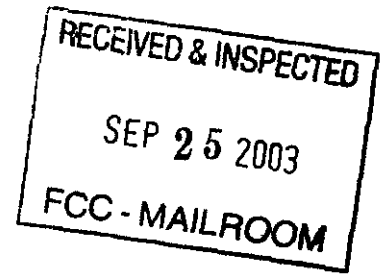


for Mark A. Reger  
Chief Financial Officer

Enclosure

**TIGER EYE**  
BROADCASTING CORPORATION

00000 R206-03-104



September 22, 2003

Federal Communications Commission  
445 12<sup>th</sup> Street SW Room 1-A625  
Washington DC 20554  
Attn: Mark Reger, FCC CFO

Dear Sir,

Please accept this letter as a request for a deferral of regulatory fees for Tiger Eye Broadcasting for a period of 60-90 days. Due to damage to several of our LPTV stations in Virginia caused by Hurricane Isabelle, we must allocate funds which were to be used for regulatory fees to the repair and reconstruction of these stations. For your records, I am including a list of all Tiger Eye stations which require a fee to be paid. Also, I have included copies of the special temporary authority requests for our damaged stations.

Tiger Eye Broadcasting fully expects to have the stations up and running again within 60-90 days and at that point should be able to submit the fees in their entirety. As always, Tiger Eye Broadcasting is keeping the best interest of the television viewing public at the forefront and we will do whatever is necessary to restore operation as soon as possible.

It is for the above stated reasons that we respectfully request a deferral of regulatory fees. If you have any questions regarding this request, please contact me personally at 954 431 3144. Thank you very much.

Respectfully,

A handwritten signature in black ink, appearing to read "John N. Kyle II".

John N. Kyle II  
President

**RECEIVED SEP 25 2003**

# Tiger Eye Broadcasting Licensed LPTV stations

Market	Call Sign	Fac. ID	Ch.
Alexandria, LA	K02PO	2844	2
Amarillo, TX	KAMT-LP	47363	31
Amarillo, TX	KTXD-LP	47364	43
Birmingham (Moody), AL	WBMG-LP	31650	38
Cedar Rapids, IA	KCDR-LP	63224	55
Cedar Rapids, IA	KHHH-LP	63222	57
Cedar Rapids, IA	KRUB-LP	63225	65
Cedar Rapids, IA	KCDE-LP	70778	67
Charlottesville, VA	WADA-LP	47705	55
Chattanooga, TN	WOOT-LP	31862	6
Daytona Beach, FL	WDYB-LP	41375	28
Denver (Aurora), CO	KDEV-LP	29455	62
Des Moines, IA	KRPG-LP	31926	43
Farmville, VA	WFMA-LP	68492	52
Ft. Myers, FL	WLZE-LP	41376	65
Ft Myers, FL	WDPX-LP	36967	18
Ft Pierce, FL	WFPI-LP	10268	8
Gulf Shores, AL	WGHA-LP	10936	66
Jackson, TN	WJTE-LP	68183	19
Joplin, MO	K20GA	5035	20
Keysville, VA	WERI-LP	68488	39
Keysville, VA	WSVL-LP	68489	48
Keysville, VA	WKYV-LP	68490	61
Knoxville, TN	WEEE-LP	47724	32
Knoxville, TN	WKXE-LP	17786	4
Melbourne, FL	WMVJ-LP	71238	29
Mobile, AL	WMOE-LP	10937	12
Mobile, AL	WWBH-LP	10940	27
Naples, FL	WTIG-LP	71138	2
New Orleans, LA	WTNO-LP	24981	22
Oklahoma City, OK	KOHC-LP	10265	38
Oklahoma City, OK	KCHM-LP	14885	59
Orlando, FL	WPXG-LP	10073	31
Panama City, FL	WPCY-LP	70912	26
Panama City, FL	W50BP	19429	50
Prescott, AZ	K24EP	7369	24
Prescott, AZ	K28FF	7370	28
Raleigh, NC	WHOA-LP	41095	44
Reno, NV	KELM-LP	27416	43
Roanoke, VA	WRKV-LP	70542	43
Rochester, NY	WROH-LP	24313	47
Tallahassee, FL	WWWF-LP	38501	47
Tampa(Clearwater),FL	WXAX-LP	57538	26